

RECORDATION NO. 29522 FILED

NOV 01 2010 -1 11 PM

SURFACE TRANSPORTATION BOARD



## FIRST UNION RAIL

One O'Hare Centre  
6250 River Road, Suite 5000  
Rosemont, IL 60018-4214

VIA UPS 2<sup>nd</sup> DAY AIR

October 28, 2010

Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W., Suite 100  
Washington, DC 20423-0001  
Re: Documents for Rail Recordation

Re: Memorandum of Lease Agreement

Dear Section Chief:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) originals and one (1) copy of a Memorandum of Lease Agreement dated October 13, 2010 a primary document as defined in the Board's Rules for the Recordation of Documents. Please file this Memorandum of Lease as a primary document since a Master Lease has not been filed with the Surface Transportation Board. The names and addresses of the parties to the enclosed document are:

Lessor: First Union Rail Corporation  
One O'Hare Centre  
6250 N River Road, Suite 5000  
Rosemont, IL 60018

Lessee: Twin Rivers Technologies, L.P.  
780 Washington Street  
Quincy, MA 02169

A description of the railroad equipment covered by the enclosed document is for three (3) tank cars; having NATX marks (see Exhibit A for car numbers).

A short summary of the document to appear in the index follows: Memorandum of Lease

Also enclosed is a check in the amount of \$41.00 payable to the order of the Surface Transportation Board covering the required recordation fee. Kindly return one (1) stamped original of the enclosed document to the undersigned along with the additional copies.

If you have any questions regarding the above-referenced matter, please contact me at (847) 384-5397. Thank you for your cooperation in this matter.

Sincerely,

Marcia Durne  
Senior Rail Documentation Specialist

Enclosure

(TWR1002)

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ASSGN. NO.: TWRJ002

## MEMORANDUM OF LEASE

SURFACE TRANSPORTATION BOARD

THIS MEMORANDUM OF LEASE (the "Memorandum") is made and entered into as of this the 13th day of October, 2010, by and between First Union Rail Corporation ("Lessor"), a North Carolina corporation, and TWIN RIVERS TECHNOLOGIES, L.P., ("Lessee"), a Massachusetts company.

## WITNESSETH:

The undersigned Lessor and Lessee have entered into that certain Lease Agreement (the "Lease"), dated as of October 13, 2010, whereby Lessor has agreed to lease to Lessee certain railcars pursuant to Rider No. 1 to the Lease (the "Rider"), as described in more particular on Exhibit A attached hereto, effective as of August 1, 2010, and subject to the terms, conditions and provisions of the above-mentioned Lease and Rider.

IN WITNESS WHEREOF, the parties hereto have each caused this Memorandum to be duly executed under seal by their respective officers duly authorized as of the date and year first above written.

LESSOR:

FIRST UNION RAIL CORPORATION

By: Richard F. SeymourName: Richard F. Seymour

VICE PRESIDENT SALES &amp; MARKETING

Title: VICE PRESIDENT SALES & MARKETING

ATTEST:

By: K.A. DombskowskiName: K.A. DombskowskiTitle: DIRECTOR OF DOCUMENTATIONExecuted on this 13th day of October, 2010.

[CORPORATE SEAL]

STATE OF ILLINOISCOUNTY OF COOK

I, GEORGIA FREIBURGER a Notary Public of the County and State aforesaid, certify that RICHARD F. SEYMOUR personally appeared before me this day and acknowledged his/her due execution of the foregoing Memorandum of Lease.

WITNESS my hand and official stamp or seal, this 13th day of October, 2010.

  
Notary Public

My Commission Expires:

6-2012

(Notary Public)



LESSEE:

TWIN RIVERS TECHNOLOGIES, L.P.

ATTEST:

By: Paul Fusco

Name: PAUL FUSCO

Title: DIRECTOR

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Executed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

[CORPORATE SEAL]

STATE OF Massachusetts

COUNTY OF Norfolk

I, Joanne M Mariano, a Notary Public of the County and State aforesaid, certify that Paul Fusco personally appeared before me this day and acknowledged his/her due execution of the foregoing Memorandum of Lease.

WITNESS my hand and official stamp or seal, this 9 day of September, 2010.

Joanne M Mariano  
Notary Public

Commission Expires:

\_\_\_\_\_  
(Notary Public)



JOANNE M. MARIANO  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
April 14, 2017

**EXHIBIT A**  
**to**  
**MEMORANDUM OF LEASE**

NUMBER OF CARS: Three (3)

DESCRIPTION OF CARS: 23,500 gallon, exterior coiled, insulated tank cars.

CAR NUMBERS:

Previous Car Numbers		New Car Numbers	
NATX	050240	FURX	123512
NATX	050244	FURX	123513
NATX	050411	FURX	123739